

Appl. No. 09/768,394

Amdt. dated December 23, 2003

Reply to Office action of October 3, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended). A baking mixture for baking non-perishable baked goods made from ~~a major proportion of flours~~ and/or starches, the proportion of flours and/or starches being at least 63.8 per cent by weight of said mixture excluding water, said baked goods having been deformed after the baking step in the still plastic state or in the state which has become plastic again by reheating, comprising erythritol and/or xylitol as partial or complete sugar replacement, the content of erythritol and/or xylitol when the sugar is completely replaced being from 12 to 55% by weight, based on the total of flour and starch.

Claim 2 (original). The baking mixture of claim 1, wherein said baked goods are wafer rolls and the content of erythritol and/or xylitol when the sugar is completely replaced is from 20 to 55% by weight, based on the total of flour and starch.

Claim 3 (original). The baking mixture of claim 1, wherein said baked goods are rolled wafer cones and the content of

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erythritol and/or xylitol when the sugar is completely replaced is from 12 to 35% by weight, based on the total of flour and starch.

Claim 4 (original). The baking mixture of claim 1, wherein said baked goods are rolled wafers.

Claim 5 (original). The baking mixture of claim 1, wherein said baked goods are deep-drawn shaped bodies and the content of erythritol and/or xylitol when the sugar is completely replaced is from 15 to 55% by weight, based on the total of flour and starch.

Claim 6 (currently amended). A baking mixture for baking non-perishable baked goods made from ~~a major proportion of~~ flours and/or starches, the proportion of flours and/or starches being at least 63.8 per cent by weight of said mixture excluding water, said baked goods having been deformed at an elevated temperature and characterized by a brittle and crispy texture at room temperature, a glass transition temperature above room temperature, and a

diminished level of sweetness, comprising, in weight per cent of the total quantity of flour and starch,

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70-150% of water,

0 - 63.1% of a sugar,

and an effective plasticizing amount of at least one aliphatic polyol having four to five carbon atoms and an alcoholic hydroxyl group linked to each carbon atom.

Claim 7 (original). The baking mixture of claim 6, wherein the weight per cent of sugar is 0.

Claim 8 (original). The baking mixture of claim 6, wherein said aliphatic polyol is selected from the group consisting of erythritol and xylitol.

Claim 9 (original). The baking mixture of claim 7, wherein the weight per cent of said polyol is in the range from 12 to 55.

Claim 10 (original). The baking mixture of claim 6, wherein the weight per cent of said sugar is in the range

from 20 to 45 and the weight per cent of said polyol is in the range from 5 to 18.

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Claim 11 (currently amended). Non-perishable baked goods made from ~~a major proportion of flours and/or starches, the~~ proportion of flours and/or starches being at least 63.8 per cent by weight of said baked goods excluding water, said baked goods having been deformed at an elevated temperature and characterized by a brittle and crispy texture at room temperature, a glass transition temperature above room temperature, and a diminished level of sweetness, comprising, in weight per cent of the total quantity of flour and starch, water in an amount not exceeding 10%,

0 - 63.1% of a sugar,

and an effective plasticizing amount of at least one aliphatic polyol having four to five carbon atoms and an alcoholic hydroxyl group linked to each carbon atom.

Claim 12 (original). The baked goods of claim 11, wherein the amount of water does not exceed 3%.

Claim 13 (original). The baked goods of claim 11, wherein the weight per cent of sugar is 0.

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Claim 14 (original). The baked goods of claim 11, wherein said aliphatic polyol is selected from the group consisting of erythritol and xylitol.

Claim 15 (original). The baked goods of claim 13, wherein the weight per cent of said polyol is in the range from 12 to 55.

Claim 16 (original). The baked goods of claim 11, wherein the weight per cent of said sugar is in the range from 20 to 45 and the weight per cent of said polyol is in the range from 5 to 18.

Claim 17 (original). The baked goods of claim 13 having a neutral taste.

Claim 18 (original). The baked goods of claim 13 selected from the group consisting of wafer rolls, rolled wafer cones, rolled wafers, and deep-drawn shaped bodies.

Claim 19 (original). The baked goods of claim 11 made from starches without flour.

Claims 20-35 (canceled).